

DEPARTMENT OF ECONOMIC DEVELOPMENT

# STATE BOARD REPORT

DIVISION OF PROFESSIONAL REGISTRATION  
PUBLISHED BY THE MISSOURI VETERINARY MEDICAL BOARD

Volume 4, Issue 1

September 2004

## VETERINARY ISSUES OF INTEREST

Throughout this past year, the Board has dealt with many issues relating to the practice of veterinary medicine. The Board has dealt with many complaints involving on-line companies providing veterinary services without a valid veterinary-client-patient relationship to Missouri citizens. In the 2004 legislative session, Representative Merrill Townley, D.V.M. introduced House Bill 869 to prohibit the unauthorized practice of veterinary medicine across state lines. The language provides safeguards to protect the public from the unlicensed and/or unsafe practice of veterinary medicine. The provision will also strengthen the Board's ability to regulate the practice of veterinary medicine.

The language in House Bill 869 states that it shall be unlawful for any person not duly registered as a veterinarian in Missouri to engage in the practice of veterinary medicine, as authorized in Chapter 340, RSMo, across state lines, except as herein provided. The "practice of veterinary medicine across state lines" shall mean: (1) The rendering of a written or otherwise documented veterinary medical opinion concerning the diagnosis or treatment of a patient within the state by a veterinarian located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state or any other state to such veterinarian or veterinarian's agent; or (2) The rendering of treatment to a patient within this state by a veterinarian located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state or any other state to such veterinarian or veterinarian's agent.

House Bill 869 includes language which not only defines the practice of veterinary medicine across state lines but also includes a provision that outlines the requirements for a veterinarian located outside of this state working in a consulting capacity. A veterinarian located outside this state shall not be required to obtain a license when; (1) In consultation with a veterinarian licensed to practice veterinary medicine in this state;

and (2) The veterinarian licensed in this state retains the ultimate authority and responsibility for the diagnosis and/or treatment in the care of the patient located within this state; or (3) Evaluating a patient or rendering an oral, written or otherwise documented veterinary medical opinion when providing testimony or records for the purpose of any civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state.

The above changes to the Practice Act will go into effect beginning August 28, 2004.

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**Governor**  
The Honorable Bob Holden

**Department of Economic Development**  
Kelvin L. Simmons, Director

**Division of Professional Registration**  
Marilyn Taylor Williams, Director

**MISSOURI VETERINARY MEDICAL BOARD**

**BOARD MEMBERS**

Roger "Dusty" Shaw, Jr., Chair & Public Member  
Stephen Goff, DVM, Member  
Dan Brown, DVM, Member  
Linda Hickam-Fountain, DVM, Member  
Jean Stark, DVM, Member  
Taylor Woods, DVM, Ex-Officio Member

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## MESSAGE FROM DIVISION DIRECTOR



House Bill 600 (2003) and House Bill 978 (2004) were enacted to increase the tax revenue collected by the State of Missouri. There are several "income tax accountability" provisions requiring the Department of Revenue to take steps to collect income taxes owed by state employees and licensed professionals. As most of you know, one provision was specifically aimed at professionals licensed by the Division of Professional Registration. The language is as follows:

"324.010. All governmental entities issuing professional licenses, certificates, registrations, or permits pursuant to sections 209.319 to 209.339, RSMo, sections 214.270 to 214.516, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, sections 436.005 to 436.071, RSMo, and chapter 317, RSMo, and chapters 324 to 346, RSMo, shall provide the director of revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section."

This statute requires the Department of Revenue to notify licensees, at the time of application or renewal, that they must file delinquent income tax returns or pay any delinquent taxes owed to the state. Since May of 2003, the Division of Professional Registration has been working with Revenue and the Attorney General's Office to establish procedures and define each agencies' responsibilities under this new law. As of July 2003, the effective date of the new law, the Division has been transmitting licensee data for

*Continued on Page 3*

## MESSAGE FROM DIVISION DIRECTOR (Continued)

*Continued from Page 2*

each renewal cycle. Because of the amount of time that the Department of Revenue has needed for technical implementation of the law, their first notices did not go out to licensees until January of this year.

During the month of January, there were 12,000 licensees who received notices either to file delinquent returns or pay delinquent taxes. Licensees were given 90 days to resolve the issue or have their license disciplined as a matter of law. On July 21, 2004, the division disciplined over 800 licenses.

The law, as written, gives no discretion to either the Department of Revenue or the Division of Professional Registration. Revenue must send notices to every licensee who has no record of filing a return or paying taxes in the three years prior to renewing or applying for licensure. The Division must suspend the license of any licensee that fails to either respond that he or she does not live or work in Missouri, or resolve his or her tax delinquency. There are no appeal rights built into the law, and no right to cure the default after the 90-day period. If a licensee pays his or her taxes or files his or her return even one day after the 90-day period, the license may still be disciplined.

I cannot stress enough to our licensees the importance of responding promptly to any notification received from the Department of Revenue, even if the licensee has not lived or worked in Missouri in the last three years. Failure to respond could result in disciplinary action against your license. For some health-care professionals, this means reporting the disciplinary action to the federal health care databases - which may affect his/her ability to practice anywhere in the United States.

Yours truly,

*Marilyn Taylor Williams*

Marilyn Taylor Williams  
Division Director

## VETERINARY ISSUES OF INTEREST (Continued)

*Continued from Page 1*

Also, the Board continues to get questions from veterinarians regarding the release of prescriptions to their clients. On September 30, 2003, the following regulation became effective, 4 CSR 270-4.031 (3)(F) Minimum Standards for Practice Techniques which states, "All clients shall have the right to receive a written prescription from their veterinarian to take to the pharmacy of their choice so long as a valid veterinarian-client-patient relationship exists."

The Board would like to remind its licensees that if a veterinary-client-patient relationship exists the prescription must be released, unless there is a valid medical reason or if it is in the veterinarian's professional determination the animal-patient is not in need of a prescribed medicine or controlled substance.



## CHAIR'S REPORT



Roger "Dusty" Shaw, Jr.,  
Board Chairman and  
Public Member

As Chair of the Board, I would like to advise both the licensed veterinarians and veterinary technicians of a few changes that have been made since the last newsletter. The second renewal period that required veterinarians to obtain continuing education has been completed. During this past renewal period, licensees were required to submit a completed Continuing Education Reporting form with their renewal application. The Continuing Education Reporting form had to be completed for the renewal license to be issued. This caused many renewal applications to be rejected and confusion among licensees. Therefore, the Board has decided to eliminate the Continuing Education Reporting form. Licensees will not be required to complete the Continuing Education Reporting form but must complete the questions on the renewal application concerning continuing education hours earned. The Board will also continue to conduct random audits. Please make certain that you maintain your continuing education certificates for the two (2) previous reporting periods in addition to the current reporting period.

The Board would also like to clarify issues that continue to arise regarding the continuing education requirements and problems that have been discovered during the continuing education audit. It is very important that all licensees are familiar with 4 CSR 270-4.042 Minimum Standards for Continuing Education for Veterinarians. If you do not have a copy of the Practice Act and Rules, please contact our office and a copy will be forwarded to you or you may review the Practice Act and Rules on the Board's website, [www.pr.mo.gov](http://www.pr.mo.gov). Please be advised that licensees may only obtain a maximum of two (2) hours of self-study reading approved scientific journals and a maximum of four (4) hours attendance in an approved workshop or seminar on non-scientific subjects relating to the practice of veterinary medicine, such as communication skills, medical record keeping, stress management and practice management.

The following scientific journals are approved by the board:

- (A) Journal of the American Veterinary Medical Association;
- (B) The Journal of Veterinary Research;
- (C) Veterinary Medicine;
- (D) Publications of the American Veterinary Medical Association Approved Constituent Speciality Groups;
- (E) Compendium of continuing education;
- (F) Journal of American Animal Hospital Association;
- (G) Other publications approved in advance by the board.

A licensee who completes more than two (2) continuing education hours of self-study, during the current reporting period cannot carry the excess hours over to the next reporting period.

Also, it has been determined that continuing education credit cannot be obtained for classroom teaching. Teaching in a classroom setting is not an automatic approval for continuing education. It is important that if you are in an academic setting and wish to obtain continuing education credit that you contact the board for approval, licensees should not assume that credit will be automatically granted.

Information contained in this newsletter is information that may have been provided to licensees in the past but are issues that continue to arise each year. It is important that licensees are familiar with the Practice Act and Rules. If you have any questions, please do not hesitate to contact our office.



## EXECUTIVE DIRECTOR'S REPORT



Dana K. Hoelscher  
Executive Director

The Board is currently working to finalize its second continuing education audit. The continuing education audit included 10% of the total number of licensed veterinarians (223), 10% of the total number of licensed veterinary technicians (41), all veterinarians currently on probation and all board members. Licensees were notified by mail that they had been randomly selected for the continuing education audit and were requested to provide documentation that verified compliance with the continuing education requirements, which included a copy of the continuing education certificate. It is important to note that with the exception of probationers and board members, individuals chosen for the random audit are chosen via computer, therefore, some individuals may be selected each year.

While reviewing the continuing education certificates it was noted that several veterinarians attended continuing education courses not approved by the Board or by the organizations listed as pre-approved. The hours submitted could not be used to satisfy the continuing education requirements. Please make certain that the continuing education courses attended have been approved by the Board. Continuing education programs attended that have not been approved by the Board will not be accepted.

All licensees should review and be familiar with 4 CSR 270-4.042 Minimum Standards for Continuing Education for Veterinarians. The following lists the organizations that are automatically approved by the Board. Also, workshops, seminars and prepared materials on scientific and non-scientific subjects relating to veterinary medicine approved by or sponsored by the following organizations are approved:

- (A) American Veterinary Medical Association;
- (B) Specialty groups of the American Veterinary Medical Association;
- (C) Regional meetings such as Central Veterinary Conference and Western Veterinary Conference;
- (D) Any state or province veterinary medical association;

- (E) Any local or regional veterinary medical association;
- (F) The American Animal Hospital Association;
- (G) American veterinary schools accredited by the American Veterinary Medical Association;
- (H) Any state veterinary academy;
- (I) American Association of Veterinary State Boards (AAVSB) or its successor-Registry of Approved Continuing Education (RACE);
- (J) Any National, Regional and Specialty Organizations; and
- (K) Other programs receiving prior approval from this board.

If an organization which is not mentioned above wishes to sponsor a continuing education course, the organization must submit the program schedule and outline to the board not fewer than thirty (30) days prior to the date of the program. The outline must include the program's subject matter, the number of hours required for its presentation and the identity and qualifications of the speakers and instructors. The board will review the schedule and outline to determine if approval will be granted. The board will not consider requests for approval of any program submitted after it has already been presented.

Also, please make certain that you obtain a certificate of completion from the sponsoring organization. The certificate of completion must be submitted to the board if you are selected in the random audit and must contain the title of the course taken, date, location, course sponsor, number of hours earned, etc. These records must be maintained for two (2) previous reporting periods in addition to the current reporting period.

If you have any questions regarding the continuing education requirements or if you are unsure if a course is approved by the Board or one of the organizations listed above, please contact our office.



## NEW LICENSING TECHNICIAN

The Board would like to welcome our new Licensing Technician, Morgan Moore. Ms. Moore joined our office on April 15, 2004. Ms. Moore will serve as the Board's receptionist, will assist in the regulation and issuance of licenses for veterinarians and veterinary technicians, schedule applicants for examinations, assist in the license renewal process, complete license verifications, etc.

The Board looks forward to working with Ms. Moore as the newest addition to our office.

## CALENDAR OF EVENTS

### NOVEMBER

November 15 through December 11, 2004 - Testing Window for the Administration of the North American Veterinary Licensing Examination (NAVLE)

### JANUARY

January 2005 - Board Meeting and State Board Examination, Tan-Tar-A Resort, Osage Beach, Missouri

### APRIL

April 11-23, 2005 - Testing Window for the Administration of the North American Veterinary Licensing Examination (NAVLE)



## FACILITY OWNERS/ VETERINARIANS-IN- CHARGE

With the completion of the renewal period for veterinary facilities, several issues of concern should be mentioned. It has come to the Board's attention that facility owners are failing to notify the Board of changes to their facilities. This continues to be an ongoing problem.

According to 4 CSR 270-5.011 (6), if ownership of a veterinary facility changes, the veterinarian-in-charge to whom the permit was originally issued is responsible for notifying the board and returning the permit within thirty (30) days of the change of ownership. The veterinarian-in-charge shall apply for a new permit prior to performing any veterinary services in the facility. If the veterinarian in charge of the facility changes, the change must be submitted to the board in writing.

If a veterinary facility incorporates, this would be considered a change in ownership and the veterinarian-in-charge would be required to file for a new permit. In addition, if a corporation owns a facility then a copy of their articles of incorporation or business organization documents must be submitted reflecting the statement that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in the state of Missouri in making veterinary medical decisions or judgements.

If the location of a practice changes or if the practice type or function changes, the veterinarian-in-charge would be required to file for a new permit. All changes must be submitted to the Board office within thirty (30) days of the change. A large number of facilities were rejected during the renewal period, due to the wrong practice types being marked or the failure to complete all sections that the facility was permitted as originally. The function the facility is licensed for is listed on the renewal application. Please make sure you are aware of the type of function your facility is permitted for in order to avoid problems with your renewal in the future.

## New Veterinarian Licensees

July 1, 2003 to June 30, 2004

Allen, Jennifer A.	Grow, Andrea D.	Orth, Patricia
Baker, Jennifer E. M.	Grubbs, Elinor R.	Ortis, Hunter A.
Barrera, Caroline R.	Hartke, James R.	Ortis, Karen A.
Beddoe, Stacey L.	Headrick, Jason	Packer, Rebecca A.
Bern, Christopher K.	Heiser, Cheri	Poole, H. Melinda
Black, Vicki M.	Heuring, Brian K.	Reed, Duane S.
Boedges, Susan L.	Hoffman, Michael E.	Richtermeyer, Lauretta L.
Bolte, Joshua P	Hornbostel, Jennifer E.	Rings, Bret S.
Boos, Manda	Howard, Rick D.	Robertson, Elizabeth S.
Bowens, Antonio L.	Huntington, Stacey	Robinson, Ralph W.
Branson, Joann	Jacobsmeyer, Jill A.	Roscoe, Justin W.
Breheim, Charity A.	Janicek, John C., Jr	Rose, Alice L.
Breshears, Lee A.	Jesky, Nicole L.	Rossiter, Jacqueline L.
Briscoe, Philip P.	Johnson, Kendal D.	Scholten, Julie
Brochtrup, Elizabeth DesChene	Johnson, Kim D.	Shaw, Kyle J.
Brooks, Tara T.	Kemp, Raelynn A.	Smith, Kelly N.
Brown, Amy E.	Kistner, Elizabeth P.	Swink, Shannon G.
Bucher, Jennifer L.	Kohler, Janis C.	Talken, Cheryl A.
Burris, Patricia A.	Korte, Scott W.	Thompson, David A.
Burroughs, Sara A.	Kreutzberg, Therese A.	Trevino, Ingrid C.
Cappucci, Dario T., Jr.	Lee, Amanda K.	Venner, Christina L.
Champaigne, David J.	Levine, Jonathan M.	Watson, David H.
Culley, Tara	Lightfoot, Kelly L.	Whitney, Lucas M.
Chhotu, Mayuri	Little, Christine A.	Wildt, Charles A.
Chipperfield, Janet	Luby, Christopher D.	Williams, Michael R.
Coston, Nicholas R.	Lucas, Brian	Witten, Tiffani
Creason, Troy D.	Luther, Jill K.	Wohlstadter, David R.
Demko, Jennifer L.	Lynch, Kelly	Wood, William J., Jr.
Dillon, Wendy L.	Mahn, Matthew M.	
Doty, Grace V.	Malter, Kyle B.	
Ealey, Katie A.	Martin, Kimberly N.	
Earl, Nathan P.	McAfee, Holly	
Egidy, W.E. Gerard	McCaul, Sean P.	
Enderson, Ritt J.	McConeghey, Alicia A.	
Engeman, Lawrence E	McDaniel, Charles L.	
Ervin, Christine W.	McMurphy, Rose M.	
Evans, Greggory E.	Moore, Lisa E.	
Farthing, Joel D.	Moore, Monica S.	
Fent, Genevieve M.	Munroe, Jennifer L.	
Fine, Deborah M.	Myers, Jenifer R	
Fitzpatrick, Jennifer L	Myles, Matthew H.	
Fox, Andrew P.	Naugler, Sasha L.	
Gaydos, Christine A.	Newberry, Jessica R.	
Goodwin, Kristin L.	Newby, David K.	
Graham, Danielle R.	Norris, Kristine R.	
Green, Gerald G.	Orchard, Mikael M.	

## STATE BOARD REPORT

### New Veterinary Technician Licensees

July 1, 2003 to June 30, 2004

Tammy Balfanz	Michelle Hinkle	Deborah Rabbitt
Sarah Beekman	Valerie Hoffman	Patrick Reed
Jason Bergkamp	Sylvia Hohmeier	Kristen Reese
Amanda Bergsieker	Sara Kaminski	Jodelle Rhodes
Ronda Bollinger	Melanie King	Julie Roseman
Jennifer Borisch	Suzanne Klein	Morgan Sander
Carrie Buffington	Sharon Lacey	Jennifer Seliga
Stephanie Carroll	Sarah Lewis	Eric Simmons
Jena Constant	Lori Lind	Aimee Slais
Milissa Crismon	Hanako Matsumoto	Celeste Spangler
Carol Deason	Jennifer Meyer	Susan Spiess
Kara Donaldson	Shayla Moffitt	Kimberly Van Dyke
Sarah Duzan	Christine Mueller	Lori Walker
Laura Elder	Christina Murphy	Bridget Weber
Mandy Finnell	Karen O'Brien	Dena Williams
Gina Guilfoyle	Lindsey Orf	Karen Woods
Sarah Hausmann	Janna Purgahn	

### Year End Report

The 2004 fiscal year ended June 30, 2004. Following is the end of the year report on Board activities as they relate to the veterinary medical profession in the State of Missouri.

#### Veterinarians

Total number of Licensees - 2,749

New Licenses Issued - 120

Licenses Renewed

Active - 2,197

Inactive - 441

Licenses Non-renewed - 51

#### Veterinary Technicians

Total number of Licensees - 606

New Licenses Issued - 50

Licenses Renewed

Active - 369

Inactive - 197

Licenses Non-renewed - 23

#### Veterinary Facilities

Total number of Licensees - 782

Original Permits Issued - 74

Facilities Closed - 58

#### Veterinary Complaints

Official Complaints Received - 73

Investigations Conducted

From Prior Year - 0

Initiated - 24

Completed - 23

### DISCIPLINARY ACTIONS

All complaints received by the Board are assigned a complaint number. A complaint may be based upon personal knowledge or beliefs based on information received from other sources. The complaints must be made in writing. Verbal or telephone communications are not acceptable, but you may request a complaint form by telephone, fill it out and mail it back to the Board. In general, the complaint is considered to be a closed record and is not accessible to the public. Any complaint that is received by the Board is acknowledged in writing. The complainant will be notified of the final outcome. Any disciplinary action taken by the Board is a matter of public record. The Board believes publication of disciplinary actions to be in the public interest and has included such in this newsletter. If you have any questions, please contact the Board's office.

## STATE BOARD REPORT

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### DISCIPLINES

July 2003 - June 2004

#### **VIOLATION** - Section 340.264.2(3), (7), (12) and (24), RSMo

Licensees are required to obtain ten hours of board-approved continuing education each year in order to renew his or her license. Licensee checked "yes" that the continuing education requirement had been satisfied for the period of December 1, 2001 through November 30, 2002. The Board notified Licensee that it was conducting an audit of the continuing education hours obtained and was requested to submit the required documentation verifying the continuing education received. Licensee failed to submit any of the required documentation verifying attendance at the required continuing education. Licensee failed to assist the Board by submitting timely and complete responses to the Board's inquiries during the audit. Licensee failed to retain documentation verifying attendance and completion of the required continuing education, or, in the alternative, Licensee failed to obtain the required ten hours of continuing education during the period of December 1, 2001 through November 30, 2002. Licensee falsified the renewal application when Licensee checked "yes" that the continuing education requirement had been satisfied.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for one year or until Licensee completes an additional 10 hours of continuing education, whichever occurs first.

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#### **VIOLATION** - Section 340.264.2(3), (7), (12), and (24), RSMo

Licensees are required to obtain ten hours of board-approved continuing education each year in order to renew his or her license. Licensee checked "yes" that the continuing education requirement had been satisfied for the period of December 1, 2001 through November 30, 2002. The Board notified Licensee that it was conducting an audit of the continuing education hours obtained and was requested to submit the required documentation verifying the continuing education received. The Board received a letter indicating that Licensee was an instructor at a local University and requires at least 64 hours of preparation per semester. Licensee was notified that the correspondence received from the University was not sufficient documentation of attendance at board approved courses and again requested that Licensees submit the required documentation. Licensee failed to submit any of the required documentation verifying attendance at the required continuing education. Licensee failed to assist the Board by submitting timely and complete responses to the Board's inquiries during the audit. Licensee failed to retain documentation verifying attendance and completion of the required continuing education, or, in the alternative, Licensee failed to obtain the required ten hours of continuing education during the period of December 1, 2001 through November 30, 2002. Licensee falsified the renewal application when Licensee checked "yes" that the continuing education requirement had been satisfied.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for one year or until Licensee completes an additional 10 hours of continuing education, whichever occurs first.

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#### **VIOLATION** - Section 340.264.2(3), (4)(l), (7), (12), (14) and (24), RSMo

Licensee's license was revoked by the Board in October 1993. In January 2000, Licensee was issued a new license to practice veterinary medicine. During the period that Licensee was not licensed by the Board, Licensee ordered a variety of drugs from veterinary supply companies. The drugs ordered by Licensee were, pursuant to state and federal law, for use only by a licensed veterinarian within the course of his/her professional practice. Licensee obtained veterinary medical drugs to practice veterinary medicine. Also, in 2002, Licensee treated a dog and administered a packet of pills to the animal. The pill packet was labeled only with the date, Licensee's name and the directions to administer "one tablet daily as needed". The drugs were misbranded pursuant to state and federal law. Licensee's medical records regarding the animals treatment fail to meet the minimum standards of 4 CSR 270-4.041.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for three years and must take and pass the Board's designated jurisprudence examination.

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## STATE BOARD REPORT

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*Continued from Page 9*

### **VIOLATION** - Section 340.264.2(4)(e), (7), (11), and (24), RSMo

At the time of the events alleged herein, Licensee hired a veterinarian to work at the Licensee's clinic. While employed at the clinic, Licensee allowed the veterinarian to examine and provide treatment to animals without supervision at the clinic on every fifth weekend beginning in August 2002 until January 2003. The veterinarian was not licensed in Missouri to practice veterinary medicine at the time of the alleged events. As the veterinarian-in-charge, Licensee is responsible for ensuring that Clinic staff are appropriately licensed. Also, in March 2002, Licensee treated a stray male puppy. Licensee examined the puppy and administered anesthesia so that Licensee could perform surgery on his right leg that was fractured. Licensee continued to treat and provide care to the puppy until June 2002, at which time the puppy was taken to another veterinarian. Licensee's medical records for the puppy do not comply with the minimum standards as set forth in 4 CSR 270-4.041. Animal owners rely on veterinarians to prepare complete and accurate medical records.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for one year, during which time licensee must complete an additional 10 hours of continuing education and must take and pass the Board's designated jurisprudence examination.

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### **VIOLATION** - Section 340.264.2(9), RSMo

In March 2003, Licensee was disciplined by the Colorado Board of Veterinary Medicine. Licensee's Colorado veterinary license was placed on probation for two years for the following conduct: In September 2002, Licensee was charged with DWAI/careless driving. The Colorado Board found that the charge was a violation of the August 2000 stipulation. Driving while intoxicated is a crime of moral turpitude in violation of Section 340.264.2(2), RSMo.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine is immediately placed on probation until March 26, 2005.

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**VIOLATION OF PROBATION** - Licensee entered into a Settlement Agreement with the Board on November 18, 2001. Licensee's license was placed on probation for five years. Terms of probation required licensee to comply with all provisions of Chapter 340 and 195, RSMo and the regulations of the Board; with all applicable federal and state drug laws, rules and regulations; with all federal and state criminal laws; and with all federal and state animal health laws, including USDA standards for accredited veterinarians. In September 2001, licensee entered into a compliance agreement with Fort Dodge Animal Health to purchase West Nile Virus Vaccine. West Nile Virus Vaccine is a legend biologic that is intended for use only by a licensed veterinarian where a valid veterinary-client-patient relationship exists. In September 2001, until approximately September 2002, Licensee purchased approximately 2,600 doses of West Nile Virus Vaccine from Fort Dodge Animal Health. Licensee dispensed approximately 2,000 doses of West Nile Virus Vaccine to approximately 40 different clients. Vaccines may only be administered or dispensed by a veterinarian in accordance with 4 CSR 270-4.031 (4). Licensee failed to formulate written vaccination plans or provide for emergency treatment in regard to the West Nile Virus Vaccine that Licensee provided to approximately 40 clients in violation of 4 CSR 270-4.031 (4). Licensee failed to provide any of the labeling requirements for the West Nile Virus Vaccine that Licensee provided to the approximately 40 clients in violation of 4 CSR 270-4.031 (3). Licensee failed to maintain any of the required records in regard to the West Nile Virus Vaccine in accordance with 4 CSR 270-4.041.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was suspended for 30 days, followed by 5 years probation. Licensee must also complete 10 hours of continuing education.

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### **VIOLATION** - Section 340.264.1 and 2(14) and (21), RSMo

At the time of the events alleged herein, Licensee used prescribed controlled substances inappropriately and became addicted to them. Licensee stole eight blank prescriptions from their medical physician and wrote false prescriptions for Percocet, which were filled at local pharmacies. Licensee used the false prescriptions to misappropriate Percocet for Licensee's personal use and consumption. Licensee's misappropriation of controlled substances as alleged violated Section 195.202 and 195.180, RSMo.

## STATE BOARD REPORT

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*Continued from Page 10*

**BOARD ACTION** - In lieu of denial of Licensee's request for a license to practice as a doctor of veterinary medicine in Missouri, the Board issued Licensee a Probated License. Licensee's license as a doctor of veterinary medicine was placed on probation for one year.

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**VIOLATION** - *Section 340.264.2 (7), RSMo*

At the time of the events alleged herein, Licensee was treating a dog with a lump under the ear near the angle of the jaw. Licensee recommended either surgical removal, if possible, or a biopsy to determine the composition of the tissue. Licensee obtained oral consent from the client, but a written consent was not signed. Licensee performed a pre-anesthetic workup, including a physical examination, x-ray, and a measurement of the dog's weight. The x-ray was damaged in the process of developing and later discarded. The weight and physical examination was not noted in the medical records. Licensee treated the dog with chemotherapy, however, Licensee's clients did not sign a written consent. After the second dose of chemotherapy, the clients decided to take their dog to another veterinarian. Approximately four months later the tumor had not shrunk by administering radiation. The dog was euthanized.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for five years.

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**VIOLATION** - *Section 340.264.1. 2(4)(i), (7), (8), (14) and (24), RSMo*

Licensee was licensed as a doctor of veterinary medicine in 1998. Licensee failed to renew the license in November 2001 and allowed it to lapse. Licensee's Drug Enforcement Administration and Bureau of Narcotics and Dangerous Drugs registrations expired. In May 2001 and June 2001, Licensee prescribed Prednisone for a dog, which was filled. In July 2001, February 2002 and April 2002 Licensee phoned in a prescription for Alprazolam for an animal he was treating. In April 2002 the prescription was not filled. Prednisone is a legend drug requiring a prescription, Alprazolam is a controlled substance. Licensee violated Section 195.030 by prescribing a legend drug and a controlled substance without active registrations with DEA and BNDD. Licensee violated Section 340.216 and 4 CSR 270-4.031 by prescribing a legend drug and a controlled substance without a current and active veterinary license.

**BOARD ACTION** - In lieu of denial of Licensee's request for a license to practice as a doctor of veterinary medicine in Missouri, the Board issued Licensee a Probated License. Licensee's license as a doctor of veterinary medicine was placed on probation for one year and must complete 10 hours of continuing education.

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**VIOLATION** - *Section 340.264.2 (9), RSMo*

In July 2003, Licensee was disciplined by the Virginia Board of Veterinary Medicine. Licensee's Virginia veterinary license was reprimanded and assessed a monetary penalty of \$1000.00 for the following conduct: From approximately 1998 through 2002, Licensee allowed students from the Virginia-Maryland Regional College of Veterinary Medicine to perform spays and neuters on local feral cats outside a preceptorship. The students did not hold any professional licenses in the Virginia. Also, in July 2002 during a routine inspection, the following deficiencies were identified: Licensee failed to post the licenses of relief veterinarians in a place conspicuous to the public, radiographs reviewed were not properly exposed with the required information, drug invoices were not maintained in chronological order, licensees record of drugs received in the practice did not contain the actual date of receipt, biennial inventory was not signed by the individual performing the inventory or the veterinarian-in-charge, one of five veterinary record requested could not be located, facility disclosure form did not contain the hours his medical staff is not available and one of four veterinary records reviewed did not show the amount of drugs administered.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for one year.

## **STATE BOARD REPORT**

Missouri Veterinary Medical Board  
3605 Missouri Boulevard  
P.O. Box 633  
Jefferson City, MO 65102

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Jefferson City, MO

### **REPORTING A CHANGE OF ADDRESS**

There seems to be a recurring problem with licensees not notifying the Board office of changes in their mailing address. According to the Board's rule, 4 CSR 270-1.040, a licensee whose address has changed from that printed on the certificate must inform the Board of those changes by sending a letter to the Board office within 30 days of the effective date of the change.

By not keeping your mailing address current you will not receive mailings with important licensure information, which includes your license renewal.

You may notify the office of any address change by faxing written notification to (573) 526-3856 or by mailing written notification to P.O. Box 633, Jefferson City, MO 65102.